

**VERSION 2**

The COVID-19 Employee relations issues FAQ provides general guidance to Yukon College employees in dealing with the impacts of COVID-19 in the workplace. As Yukon College adapts to accommodate efforts to limit the spread of COVID-19, we are committed to supporting the wellbeing of our college community.

The information contained in this document is subject to change as the COVID-19 pandemic progresses. All should appreciate that this is a fluid situation and we will continue to update staff and faculty as conditions change. We will update this FAQ regularly, please visit MyYC HR Page to find the latest version of this FAQ.

We understand unprecedented times like these can create stress and that changes in work routines and schedules can be challenging to adjust to. We have compiled this FAQ information and resources to help you remain connected, healthy and supported. With the right methods and strategies, we will continue to thrive together.

For specific information about employee leave, benefits and other HR related matters, please reach out to Jane Wightman and Shannon Tessier, Yukon College People Consultants.

As you review this Q&A you'll note that some items relate only to those who are working on campus. Others relate to essential staff, both on and off campus, and some relate to us all. It should be evident in every situation; in situations where it is open to interpretation, we have stated the condition that applies at the outset of the question. If you have questions, please talk to your supervisor or Shannon and Jane in HR.

a. Workplace Health and Safety

Yukon College is committed to providing a safe work environment for all employees. The College strives to meet federal and territorial health and safety legislation and is committed to a culture of health and safety.

	Question	Answer	Authorities
1	What do I do if a student or a key stakeholder is ill?	Make sure you've participated in a risk assessment of your workplace. If you think one student is ill, bring it to the attention of your supervisor, who will decide on the best way to provide service to the student.	<p>YCEU CA Article 54.04 Safety and Health Employees are encouraged to refer safety matters to their immediate supervisors in an attempt to resolve any problems and where the safety matters cannot be resolved, both employees and Supervisors are encouraged to refer safety issues to the Chair.</p> <p>Article 54.06 Safety and Health – To remove any uncertainty, it is agreed that the Yukon Occupational Health and Safety Act applies in this Collective Agreement</p> <p>OH&S Act Section 15(1) Right to Refuse Work – section 15(1) of Yukon's Occupational Health and Safety Act, an employee may refuse to work where the employee has reason to believe (b) a</p>

			condition exists in the workplace that constitutes an undue hazard.
2	<p>What is the employer's obligation to inform employees in the unit that there's been a case of COVID-19 amongst the staff or students?</p>	<p>The Chief Medical Officer of Health and the College must comply with the Health Information Privacy and Management Act and cannot share information that may compromise the identity of an individual. As such, information about contact tracing or a confirmed COVID-19 case within the College community will only be shared with employees and CH occupants directly affected. It cannot be shared widely with the College community or the public.</p> <p>However, supervisors should maintain regular communications with employees and a general update can acknowledge the presence of respiratory symptoms or a report of the COVID-19 virus in the workplace. Supervisors should also encourage staff to take the necessary precautions to prevent the spread of respiratory viruses: we all have a role to play. The best way of limiting the spread of COVID-19 is through physical distancing and frequent handwashing and sanitizing of your personal spaces and frequently used items.</p>	<p>OH&S Act Section 7 A supervisor shall be responsible for (c) advising a worker of any potential or actual danger to the health or safety of the worker.</p>

3	Will Yukon College employees be receiving a mask and gloves?	Not at this time. It has been determined by health officials at the present time that masks and gloves are not required for normal interactions between individuals who are without symptoms.	For helpful information, visit: https://yukon.ca/en/information-about-novel-coronavirus-yukoners
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b. Leave

The Collective Agreement provisions, Yukon's Occupational Health and Safety Act, and Yukon College policies provide a human resource framework that will meet the majority of our needs during this period. Where changes are required, they will be issued by Human Resources and, in the case of the collective agreement, only after consultation and agreement of the unions.

	Question	Answer	Authorities
1	I thought I was able to work today but now I'm not feeling well. I don't know whether I have COVID-19. What should I do?	If you are not feeling well and have respiratory symptoms such as a fever or cough, you should call in sick. You are required to inform your supervisor directly of your inability to work prior to the commencement of your workday or shift or as soon as possible thereafter. If you believe you are developing the COVID-19 virus disease, you should stay away from work and call 811 or your health care provider to confirm your symptoms and for advice.	HR-13 Attendance and Leave Reporting Communication: If the employee is unable to report for work as scheduled they shall communicate directly with their supervisor as soon as they know that they will be late or absent. The responsibility to communicate directly with their supervisor also applies to unscheduled early departure. The communication should include the reason for the delay or absence, expected time or arrival or return to work date, and their preferred means of contact should the supervisor need to reach them.

		<p>In this case, you would use your sick leave to cover your absence.</p> <p>If you do not have sufficient sick leave, you may request an advance of sick leave. If this is also exhausted, you may request vacation leave, long service leave, comp leave or manager's leave to cover off your absence. Otherwise, employees may request leave without pay to cover off absences from work.</p>	<p>Article 37.02 (a) - Sick leave – an employee who is unable to perform their duties because of illness, injury, or quarantine may be granted sick leave with pay up to the maximum of unused sick leave credits, and with the approval of the Director, Human Resources, an advance of sick leave up to fifteen (15) days.</p> <p>HR-11 Benefits for Excluded Employees Employee Leave Reporting: Employees are responsible for reporting their leave usage on a bi-weekly basis, scheduled and unscheduled, in the College's Web-based leave system. Web based leave reporting covers vacation, sick, special long service, management person and management travel leave.</p>
2	<p>As an employee, if I'm instructed not to report to work because I am sick, do I have to claim the time in sick or vacation days?</p>	<p>If you are sick and have respiratory symptoms such as fever or cough you will be instructed by your supervisor to stop work due to illness. In this case, you would use your sick leave to cover your absence.</p> <p>You may be required to self-isolate for 14 days.</p> <p>If you do not have sufficient sick leave, you may request an advance of sick leave. If this is also exhausted, you may request vacation leave, long service leave, comp leave or manager's leave to</p>	<p>Article 37.02 (a) - Sick leave – an employee who is unable to perform their duties because of illness, injury, or quarantine may be granted sick leave with pay up to the maximum of unused sick leave credits, and with the approval of the Director, Human Resources, an advance of sick leave up to fifteen (15) days.</p> <p>HR-11 Benefits for Excluded Employees – Sick Leave: (see Collective Agreement).</p> <p>YCEU CA Article 35.01 – Vacation leave – an employee is entitled to take vacation leave with pay, provided the employee has earned</p>

		cover off your absence. Otherwise, employees may request leave without pay to cover off absences from work.	vacation leave credits in accordance with Clause 37.02 and subject to Clause 37.05. YCEU Article 41.07 - Leave without Pay for Personal needs – An employee shall be eligible for leave without pay for personal needs after they have completed at least one (1) year of full-time work at the College.
3	For those who are required to work on campus - If I'm instructed not to report physically to work because I have to self-quarantine for 14 days due to travel, how will I be paid?	<p>If your absence is due to travel self-isolation requirements in accordance with Yukon Government and the Government of Canada, your quarantine period will be covered as follows:</p> <ol style="list-style-type: none"> 1) If you travelled outside Canada before the Canadian Government travel advisory was issued on March 13, or before the domestic travel restriction announcement on March 22, or because you have had contact with a person who travelled outside Canada, or who has contracted COVID-19, you are required to take a 14-day period of self-isolation, during which time you are expected to work from home, on a plan approved by your supervisor. 	<p>Article 37.02 (a) - Sick leave – an employee who is unable to perform their duties because of illness, injury, or quarantine may be granted sick leave with pay up to the maximum of unused sick leave credits, and with the approval of the Director, Human Resources, an advance of sick leave up to fifteen (15) days.</p> <p>HR-11 Benefits for Excluded Employees – Sick Leave: (see Collective Agreement).</p> <p>YCEU CA Article 35.01 – Vacation leave – an employee is entitled to take vacation leave with pay, provided the employee has earned vacation leave credits in accordance with Clause 37.02 and subject to Clause 37.05.</p> <p>YCEU Article 41.07 - Leave without Pay for Personal needs – An employee shall be eligible for leave without pay for personal needs after they have completed at least one (1) year of</p>

		<p>If you cannot work from home during this time, this will be considered COVID-19 leave with pay.</p> <p>2) If you travelled outside Canada after the Canadian Government travel advisory was issued on March 13, or after the domestic travel restriction announcement on March 22, you are required to take a 14-day period of self-isolation, during which time you are expected to work from home, on a plan approved by your supervisor. If you cannot work from home, you are required to use your sick leave to cover your absence.</p> <p>If you do not have sufficient sick leave accruals, you may request an advance of sick leave of up to 15 days. Same as above, this requires departmental approval and processing by HR. If this advance is also exhausted, you may request vacation, long service, comp, management leave or LWOP to cover your absence.</p> <p>After completion of the required self-isolation or quarantine period,</p>	<p>full-time work at the College.</p>
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		contact your supervisor to discuss the process for your return to the workplace. You may be required to provide additional information prior to returning to work.	
4	For employees on and off campus - If I'm instructed not to report to work because my supervisor said there is no work for me to complete, what are my options?	Employees will need to work with their direct supervisors to determine alternative work and develop a robust workplan. No employees will take a loss in regular pay or benefits as a result of a reassignment during this time. The acting pay provisions of the CA continue to apply. If the duties of the reassigned post appear to warrant a higher classification, please contact HR. If supervisors are unable to determine alternative work to allocate, please contact HR.	
5	I requested vacation leave and it was approved by my manager, but then we started working from home due to COVID-19. Do I still have to take my vacation days?	If your leave is for the period between March and April, you will be able to cancel your leave, if you wish to do so. We are currently discussing options for May, the summer and beyond.	YCEU CA Article 35.05 – Vacation - The Employer shall make every reasonable effort to grant an employee the period of vacation leave requested by them, provided the employee has completed the appropriate vacation leave application form and submitted it to their supervisor. (Email confirmation of request and approval) HR-11 Benefits for excluded employees: Leaves – Vacations along with management

			travel and management personal leaves are required to be scheduled subject to the operational capacity of the work unit and taken in the current accrual year.
6	If I have to care for a sick dependent and I have no special leave, because I have used all of my six days of special leave credits and I have no accrued special leave credits, can I be granted any other kind of leave which maintains my salary?	<p>If you need to care for a sick dependent, you would ordinarily use your special leave to cover your absence. If you do not have sufficient special leave, as YCEU or an Excluded employee, you could also request use of your annual vacation leave, long service leave, comp leave, or manager's leave to cover off your absence. These leaves are discretionary and based on operational requirements, however your supervisor should consider your reasons for requesting the leave.</p> <p>If all these leaves are exhausted, you would have to request leave without pay to cover off absences from work until you received your new leave accruals.</p>	<p>YCEU CA Article 39.03 Special Leave Illness – Where an employee is required to care for their sick dependents or a sick person permanently residing in their place of residence, (including spouse) the Employer shall grant special leave with pay up to a maximum of five(5) consecutive working days;</p> <p>YCEU CA Article 35.01 Vacation & Long Service Leave – An employee is entitled to take vacation leave with pay, provided the employee has earned vacation leave credits in accordance with Clause 37.02 and subject to 37.05;</p> <p>YCEU CA Article 29.06(a)- Compensatory Leave – The Employer shall grant compensatory leave subject to operational requirements and at a time convenient to both the employee and the Employer.</p> <p>YCEU Article 41.07 - Leave without Pay for Personal needs – An employee shall be eligible for leave without pay for personal needs after they have completed at least one (1) year of full-time work at the College.</p>
7	If my child is sick and cannot attend school	Employees are entitled to take special leave (YCEU, Excluded) or	YCEU CA Article 39.03 Special Leave Illness – Where an employee is required to

	<p>or daycare, what leave provisions apply? What if my child is healthy but I don't want him exposed?</p>	<p>management personal leave (Managers) to care for a sick dependent. Consult your agreement for any limitations.</p> <p>If you have exhausted your special or management personal needs leave, you could also request use of your vacation leave, long service leave, comp leave, or manager's leave.</p>	<p>care for their sick dependents or a sick person permanently residing in their place of residence, (including spouse) the Employer shall grant special leave with pay up to a maximum of five(5) consecutive working days;</p> <p>YCEU CA Article 39.05(c) Other Special Leave – At the discretion of the Director, Human Resource Services, special leave with pay may be granted when circumstances not directly attributable to the employee prevent their reporting for duty. Leave for such circumstances would not normally exceed one working day for each instance. The employer agrees to exercise its discretion fairly and reasonably.</p> <p>HR-11 Benefits for Excluded Employees: Special Leave – see Collective Agreement.</p>
8	<p>I am a pregnant employee and I am concerned about the health of my unborn fetus and exposure to the virus? What should I do?</p>	<p>You should consult your own health care provider to determine what is best for you and your baby. If you need to be away from work, and cannot start your maternity leave early, as YCEU/Excluded you may apply for vacation leave, compensatory leave or leave without pay to bridge you to your maternity leave.</p>	<p>YCEU CA Article 41.03 – Maternity leave (a)(i) – may take maternity leave a maximum of eleven weeks prior to expected date of birth, and (ii) notwithstanding (a) above, an employee may elect to use earned vacation and/or compensatory leave credits prior to and subsequent to, use of unpaid maternity leave but total leave shall not exceed 11 weeks prior to and 26 weeks after the termination of pregnancy;</p> <p>HR-11 Benefits for Excluded Employees: Maternity Leave – see Collective Agreement.</p>

			<p>YCEU Article 41.07 - Leave without Pay for Personal needs – An employee shall be eligible for leave without pay for personal needs after they have completed at least one (1) year of full-time work at the College.</p>
9	<p>For those required to work on campus, or those unable to work from home because of the need to care for children - If my child's daycare or school is closed and I have to stay home with my child, what leave provision applies?</p>	<p>Yukon College understands that unprecedented times like this can create stress and new challenges for parents. If you need to stay away from work because a child's day or school is closed, you may apply to take vacation leave, long service leave, compensatory leave, manager's leave or LWOP.</p>	<p>YCEU CA Article 35.05 – Vacation - The Employer shall make every reasonable effort to grant an employee the period of vacation leave requested by them, provided the employee has completed the appropriate vacation leave application form and submitted it to their supervisor. (Email confirmation of request and approval).</p> <p>YCEU Article 29.06(a) Compensatory Leave – The Employer shall grant compensatory leave subject to operational requirements and at a time convenient to both the employee and the Employer.</p> <p>YCEU Article 41.07 - Leave without Pay for Personal needs – An employee shall be eligible for leave without pay for personal needs after they have completed at least one (1) year of full-time work at the College.</p> <p>YCEU CA Article 39.05(c) Other Special Leave – At the discretion of the Director, Human Resource Services, special leave with pay may be granted when circumstances not</p>

			directly attributable to the employee prevent their reporting for duty. Leave for such circumstances would not normally exceed one working day for each instance. The employer agrees to exercise its discretion fairly and reasonably.
10	I had the COVID-19 virus but now I am better and I'm ready to come back to work. Do I have to bring in a doctor's note certifying that I am well?	<p>It is currently not recommended that employees seek a doctor's note because of the unnecessary strain it would place on the health system. If a doctor's note is required, your supervisor will inform you.</p> <p>If you tested positive for COVID-19, you may return to work when you are no longer symptomatic and have been cleared to return to work by Yukon Communicable Disease Control or Yukon's Chief Medical Officer of Health. Generally, a medical certificate will not be required, but if requested can be supplied by Yukon Communicable Disease Control.</p>	<p>YCEU CA Article 37.02(e) A Dean or Director, on behalf of the Employer may require an Employee to provide evidence in the form of a medical certificate signed by the attending physician stating the Employee was incapable of performing their duties due to their illness or injury, or that they are or have been in quarantine;</p> <p>YCEU CA Article 37.02(f) a Dean or Director, on behalf of the Employer, may request a medical certificate to confirm an employee's capability to perform the work safely.</p>
11	Are we going to temporarily increase the 5 Special Leave days that YCEU members have to	The employer does have discretion to grant additional leave for this purpose.	YCEU CA 39.03(a)(i) – Special Leave – Where an employee is required to care for their sick dependents or a sick person permanently residing in their place of residence, the Employer shall grant

	care for someone at home?		special leave with pay up to a maximum of five (5) consecutive working days.
12	What if I am currently on Prepaid Leave and have been required to return home from travelling abroad. Can I return early to my position and either take the remainder of my deferred salary leave at another time, or be refunded salary for the time it was cut short?	Once an employee has commenced their period of leave under the Prepaid Leave Plan (PLP), they may not temporarily suspend it to resume their leave at a later date. An employee on PLP leave may not return to work early. Requests for withdrawals from the PLP that have not yet started are to be forwarded to Human Resources for information and to the President for final approval. The remaining deferred funds will be required to be paid out as a lump sum and taxed accordingly within 60 days of the withdrawal.	HR-05 Prepaid Leave plan
13	Is shopping for family members who are immunocompromised or unable to shop for themselves considered special leave?	This would not be special leave. Stores are open outside of Yukon College regular business hours. You can also shop online.	
14	Can I move forward my 2018/19 leave?	Yes. It has been agreed that surplus vacation leave traditionally known as “use it or lose it” time will be extended from June 30 th to August 31 st . This is to allow for some flexibility during unprecedented times and	

		<p>acknowledging the dynamic changing needs of Yukon College employees. In the next few days, supervisors will receive a report of vacation leave balances for their team members. Supervisors are invited to share these reports with their team members and have a conversation regarding planned use of leave over the next few months and the 20/21 fiscal year.</p>	
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c. Essential staff and right to refuse to work

	Question	Answer	Authorities
1	<p>What is the definition of essential services at Yukon College?</p>	<p>Essential services are those that are necessary to enable our institution to ensure the health and safety of our students, faculty and staff; to continue operations of post-secondary education (including facilitating student services and student learning); to preserve critical infrastructure, minimize serious environmental damage, and continue the delivery of administrative and business continuity functions required to support core organizational priorities.</p> <p>Currently, the following essential services are required to continue operating <u>on campus</u></p>	

		<p>(please note that this listing may change over time and many of these units may be operating under reduced staffing levels and / or reduced hours):</p> <ul style="list-style-type: none"> ▪ Management ▪ Safety and security ▪ IT ▪ Custodians ▪ Facilities management ▪ Shipping and receiving ▪ Finance and payroll ▪ HR ▪ Office of the registrar for essential financial services (such as student refunds etc.) ▪ Student housing staff ▪ Culinary staff 	
2	<p>Do I have the right to refuse to work for reasons related to the COVID-19?</p>	<p>As an employee, you must have a reasonable belief that the workplace presents a hazard to your health.</p> <p>Under the Yukon Occupational Health & Safety Act, employees have the right to refuse to do a job if there is reasonable cause to believe that the job presents an undue hazard to themselves or another employee.</p> <p>Employees must be at work in order to legitimately refuse to work</p>	<p>OH&S Act Section 15(1) A worker may refuse to work or do particular work if the worker has reason to believe that (b) a condition exists in the workplace that constitutes an undue hazard. To invoke this right, an employee has to have an honest belief that a condition constitutes an undue hazard, must immediately report the circumstances to a supervisor and must remain at the worksite so that the circumstances can be investigated in the presence of the employee.</p>

3	What if I am designated essential but don't want to come to work for fear of getting ill?	<p>Yukon College employees are expected to report to work if they are healthy unless advised otherwise. Yukon College will make every reasonable effort to ensure that any person who is symptomatic of the COVID-19 virus leaves the workplace and that employees stay home until they are past the contagious stage of the illness. The exposure of employees to COVID-19 in the workplace is not expected to be any greater than it would be in the general population, for example, at a grocery store or in a line-up. It is not expected that exposure to respiratory illness in the workplace would be considered undue.</p> <p>If an employee who does not have a medical condition/disability wants to avoid the workplace because of potential exposure to the virus, they may take annual leave, compensatory leave, or leave without pay (LWOP)</p>	OH&S Act Section 9(c) & (d) - See above
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d. Workers' compensation

	Question	Answer	Authorities
1	If employees contract the COVID-19 virus from contact with a student, or other	A claim for compensation for illness arising out of work would not be accepted from an employee where there is an outbreak of COVID-19 affecting the community at large, as this	<p>YWCH&SB Policy # EN-01 – Arising Out Of And In The Course of Employment.</p> <p>2. Contagious Diseases For the contagious disease to be compensable there must be an inherent risk of contracting the</p>

	employee are they eligible for workers' compensation?	would be viewed as public health problem.	<p>disease in the nature of the employment which had causative significance, and where there:</p> <ul style="list-style-type: none"> a) is significantly greater than the ordinary exposure risk of the public at large; or b) is acquiring a kind of disease to which the public at large is not normally exposed. <p>A claim would not be accepted from a worker where there was an outbreak affecting the community at large.</p>
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e. Working from home

	Question	Answer	Authorities
1	I am currently working from home, do I need to work my regular schedule while working from home and be available by email, phone or Teams?	<p>Employees should work with their supervisors to identify hours of work and outcomes that can support the department and/or faculty needs while providing some flexibility to the employee. This could mean hours of work that are different from an employee's current work hours.</p> <p>It is expected that during the agreed upon hours of work, an employee is available by email, phone, Microsoft Teams or other means as required.</p> <p>Employees working flexible schedules are invited to be mindful of other employees' schedules and not contact them outside the regular College business hours (8.30-4.30).</p>	

f. Employee support

	Question	Answer	Authorities
1	I am anxious and nervous about what is happening regarding COVID-19. What should I do?	<p>Any employee, spouse, or dependent who is experiencing anxiety or nervousness during this time is encouraged to contact our Family and Employee Assistance Providers:</p> <ul style="list-style-type: none"> ▪ Nimco and Associates https://nimcoandassociates.com/our-counsellors-2/ ▪ Family Services Employee Assistance Program www.fseap.bc.ca 	Please visit MyYC HR Page to find out more about Employee Assistance COVID-19 related resourced
2	If an employee has used their 6 EFAP sessions will Yukon College pay for additional sessions because of the pandemic, and if so how many?	<p>While the program's primary purpose is to assist employees with personal problems that are interfering with work performance, Yukon College understands unprecedented times like these can create stress and that changes in work routines and schedules can be challenging to adjust to.</p> <p>Requests for EFAP services above the limit that are a result of the pandemic will be reviewed by the HR Director on a case by case basis.</p>	